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February 2, 2023

Via FOIAonline.gov

National FOIA Office
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2310A)
Washington, DC 20460
hq.foia@epa.gov

Dear FOIA Officer:

We write on behalf of a third party to request records pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and the 40 C.F.R. part 2 regulations promulgated by the Environmental Protection Agency ("EPA"). Specifically, we request copies of any and all potentially responsible party ("PRP") reports, regardless of the form or format of such reports, regarding or relating to the Bonita Peak Mining District Superfund site, including without limitation:

1. Upper Animus Mining District Report. We have seen this document cited as: Toeroek Associates, Inc., May 9, 2011. Upper Animas Mining District Draft PRP Search Report, U.S. EPA, Contract No. EP-R8-09-10.
2. Mayflower Mill Report. We have seen this document cited as: Toeroek Associates, Inc., May 7, 2015, Mayflower Mill Final PRP Search Report, U.S. EPA, Contract No. EP-BPA-11-W-0001.
3. Mogul and Grand Mogul Mine Site Reports. We have seen this document cited as: PRIZIM, Inc, June 2009, Potentially Responsible Party Search Final Report, Mogul and Grand Mogul Mines Site, San Juan County Colorado; prepared for Bureau of Land Management.
4. Any other PRP reports for all or any part of the Bonita Peak Mining District site.

If you determine that any record subject to this request will not be disclosed because it meets any of the criteria in the FOIA for nondisclosure, please specifically identify such documents in accordance with *Vaughn v. Rosen*, 484 F.2d 820, 826-28 (D.C. Cir. 1973).

We request that EPA provide responsive reports as soon as they can be identified and produced on a rolling basis. Please provide a copy of responsive records, preferably via email or secure file transfer protocol ("FTP"). If such records cannot be provided by email or FTP, please produce them via a physical media (such as a flash drive or hard drive) to Joanna McCall's attention at Cogency Global, 1025 Connecticut Ave., N.W., Suite 712, Washington, DC 20036.

We do not wish to inspect such reports before receiving copies of them. We agree to pay for the actual search, duplication, and review costs (if any) in connection with this request, up to the

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amount of \$1,000; if you anticipate that the total costs will exceed this amount, please contact us before proceeding and provide an estimate of the total costs.

This is a commercial request.

We appreciate your assistance and prompt response to this request. If you have any questions about this request or require further information, please contact us at 800.494.5225 or agency@cogencyglobal.com. Thank you for your attention to this matter.

Sincerely,

Joanna McCall

Joanna McCall, Assistant Secretary
On behalf of:
COGENCY GLOBAL INC.
agency@cogencyglobal.com
(800) 494-5225

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